

to attend the University of London where once again he steeped himself in the study of the law, but not to such an extent that he and his wife failed to take full and proper advantage of the facilities afforded by the scholarship to see England and learn of it's ways and customs.

On completion of his course at the University of London, Professor and Mrs. McAllister returned to Vancouver where they remained for a year. In 1950 the University of New Brunswick Law School recognized the advantages that would accrue to the school by obtaining the services of one of its outstanding former students. And so today, George McAllister and his wife are living in Saint John where he has the enviable distinction of being Professor of Law at the school in which he received his first legal training.

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THE MOOT COURT

This year the Moot Court has become the major outside activity of the school. Already four moots have been held — twice as many as were held all last year. Altogether fourteen are planned with every student of the school participating as counsel.

The first four moots dealt with cases on torts, contracts, constitutional law, and insurance law. All of the cases ran off smoothly and realistically.

The Court is divided into three divisions — First Year, Second Year, and Third Year, with counsel corresponding to the division of their year. The Third Year Division is presided over by a single judge who is a practicing barrister. Solicitors for the division are allotted from the second year.

The Second Year Division is presided over by a Chief Justice who is a practicing barrister and four associate-judges who are third year students. Solicitors for the division are allotted from the first year.

The First Year Division is presided over by a Chief Justice from the practicing profession with four associate-judges from the second year.

The Registrar is appointed for each case from the first year. His duties are clearly defined and include such tasks as preparing the Court room, introducing Counsel to Judges, and delivering the factums to the Judges. Factums are filed with the Librarian who carries out the regular duties of a Registrar in this regard, as he is the one permanent member of the court.

The problem of finding suitable cases for argument has been successfully solved in the Second and Third Year Divisions by basing the

argument on appeals from already decided cases. To date, this method has proven most successful since it has largely eliminated the inevitable omission of necessary material facts. The First Year Division cases are prepared from stated facts drafted by the presiding Associate Judges.

In order to obtain a proximity to reality and also to have the sittings proceed without unnecessary postponements and misunderstandings, a strict procedure is laid down with time limits. For example the preliminary procedure for the hearing of a Third Year Division case is as follows:

- (17). Counsel and Solicitors are designated at least two weeks before the scheduled hearing.
- (2). At least ten days before the hearing the case is assigned.
- (3). At least five days before the hearing of the case the Counsel files five copies of the factum with the Librarian.
- (4). Counsel obtains from the Librarian, copies of the factums.

In order to obtain a proximity to reality, gowns are worn by counsel. Grading cards are provided for the use of the Judges. These cards give a basis for analysis of ability, including such factors as presentation, logical structure of case, and pertinence of authorities cited. Such grades are confidential.

The foregoing is, of course, only a sketchy picture of the Court, but is an indication of its added emphasis. Moots of necessity have many limitations, but it is the hope of all concerned that many fundamentals will be learned and many mistakes will be made in the Moots instead of in the court room after admission to the bar.

—Edward O. Fanjoy,
Chairman,
Moot Court Committee.

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THE RIGHT OF APPEAL

If a judge has heard a case, and given a decision, and delivered a written verdict, and if afterwards his case be disproved, and that judge be convicted as the cause of the misjudgement; then shall he pay twelve times the penalty awarded in that case. In public assembly he shall be thrown from the seat of judgement; he shall not return; and he shall not sit with the judges upon a case.

(Code of Hammurabi, Section 5)